

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

Cr. No. 05-134T

VAN ANH, KHONG NGUYEN,
and THINH CAO

ORDER

For the reasons stated in open court:

- (1) the United States' motion for permission to issue subpoenas *duces tecum* is hereby GRANTED by agreement of the parties;
- (2) the United States' motion *in limine* to preclude the defendants from introducing evidence of witness Tommy Nguyen's prior criminal convictions is hereby DENIED, in part (with respect to the May 23, 1996 conviction for ENTERING AUTO MISD C/F FELONY and the current, outstanding Georgia arrest warrant), and GRANTED, in part (with respect to all other matters);
- (3) Defendant Van Anh's motion *in limine* to preclude introduction of statements made by co-defendant Thinh Cao is hereby DENIED;
- (4) Defendant Van Anh's motion *in limine* to exclude evidence of telephone calls made on July 25, 2005 is hereby DENIED;
- (5) Defendant Van Anh's motion *in limine* to exclude evidence of a \$10,000 wire transfer is hereby PASSED as moot;

- (6) Defendant Khong Nguyen's motion *in limine* to preclude evidence of the machete allegedly seized by the Massachusetts State Police is hereby GRANTED;
- (7) Defendant Khong Nguyen's objection to the United States' use of felony convictions for impeachment is hereby PASSED as moot;
- (8) Defendant Thinh Cao's motion *in limine* with respect to the testimony of witness Thom Thi Tong is hereby DENIED;
- (9) Defendant Khong Nguyen's request that substitute counsel be appointed is hereby DENIED;
- (10) the defendants' motions for declaration of a mistrial are hereby DENIED;
- (11) the defendants' motions, both initial and renewed, for judgments of acquittal are hereby DENIED; and
- (12) Defendant Thinh Cao's motion for disclosure of the questionnaires completed by certain individuals who were summoned, but did not appear, for jury duty is hereby DENIED, without prejudice. Mr. Cao may re-file the motion but, if he opts to do so, he must indicate which specific items of information about the prospective jurors he lacks at present and requests that the Court disclose, as well as why such disclosure is necessary.

IT IS SO ORDERED:



Ernest C. Torres
Chief Judge

Date: 5/17/06